



February 23, 2010

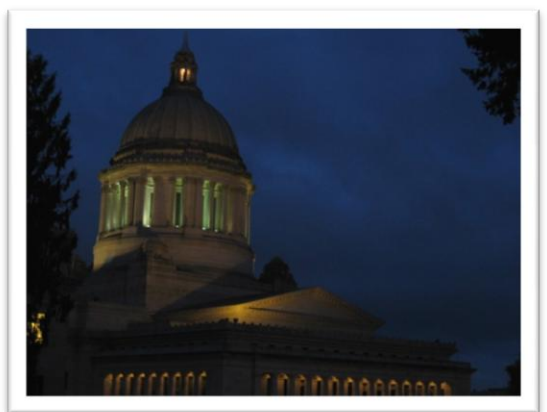
Dear Kitchen Cabinet members,

This is a very important week for the Washington State Legislature. Last night, the majority party concurred with the House changes to [Senate Bill 6130](#), which suspends the I-960 taxpayer protection act. The Senate debated the issue into the dark of night yet again. In addition to that, they released their proposed operating budget early this morning. I'll have more on that later in this update.

Also, I'm very close to reaching common ground with some of my colleagues who are working on my constitutional amendment to restrict bail. This week, which is cutoff week for policy committees in the House of Representatives, will be a pivotal one for the 2010 legislative session.

In the dark of night – dismantling I-960 to raise your taxes

Last night, the Senate debated whether to concur with the changes made by the House of Representatives to the bill repealing the Initiative 960 taxpayer protection law. **This was the third time I voted against giving the Legislature the ability to raise your taxes with a simple majority vote.** You may remember the Senate majority passed the “wrong version” of its own bill two weeks ago and had to quickly paste the original bill’s language onto a title-only bill that had been sitting around since 2009. The following day, the Senate passed THAT bill and it went to the House for consideration.



The House made a few changes to Senate Bill 6130, putting back in some of the transparency provisions, but leaving out the advisory vote provision and the provision to include tax increase

information – including which legislators sponsored the proposal – be listed in the voter's guide in November. **Because of that change, the bill came back to the Senate for concurrence and passed 26-21 late last night.**

Newspapers across the state are universally saying that dismantling I-960 is a dangerous step for the majority party to take. Some of those papers are even conceding that doing away with the two-thirds majority requirement to raise taxes may be a necessity in the current budget crisis, but getting rid of the no-cost transparency provisions is simply deceptive.

During the final debate, Senate Republicans tried for a third time to get those transparency provisions back into the bill so that taxpayers would be able to keep an eye on what was going on in Olympia. **Nevertheless, in the dark of night, the bill passed once again and is now on the governor's desk awaiting her signature.** Many people have called for the governor to use her section-veto power to get rid of the suspended transparency provisions. We'll likely know before the end of the week if she chooses to do that.

Finding common ground on my constitutional amendment



In Sunday's News Tribune [editorial](#) and Monday's [news article](#), you may have read that I've proposed a compromise version of my constitutional amendment, [Senate Joint Resolution 8218](#), to allow judges to deny bail to certain individuals charged with violent crimes. There was some debate about whether it went too far as to violate the rights of individuals, but I think a balance needed to be found between that and protecting the public from individuals who might commit new crimes if released on bail. I believe my compromise version does that.

The House version of the constitutional amendment is overly broad and involves people who may have committed crimes, but who did not cause any harm to individuals. In addition, I've received positive feedback from both Senate Republicans and Democrats, who prefer the compromise over the original House version.

This new version would allow judges to deny bail to many more offenders than would have been covered under the original version. **It is a complete rethinking of the constitutional amendment** that is NOT based on how many people it would apply to, but instead on the dangerous behaviors exhibited by individuals who, if not kept in jail, may cause even more harm.

With only three weeks of session left, this remains a very important issue. However, the fact remains that Democrats control the Senate and the House of Representatives, and their members have the ultimate decision over which version of this bill – if any – become law.

Progress toward permanent power for Anderson Island

In a previous Kitchen Cabinet update, I told you that I was working to help streamline the permitting process for Anderson Island's new power cable. The island is currently being supplied with electrical power via a temporary underwater cable. The cable will need to be replaced very soon, so **I convened a meeting Monday to expedite the government permits.**



In attendance at the meeting were representatives from the governor's office, the Nisqually Indian Tribe, the state Department of Natural Resources, the state Department of Ecology, the Army Corps of Engineers, representatives from both Pierce and Thurston Counties, and more. They spent two hours working with each other.

One of the points I made during the meeting was regarding the Nisqually Delta, where the permanent cable is expected to connect to the mainland. Due to the various dikes in the delta, the Nisqually River has been limited to one channel from the freeway to Puget Sound. Now that those dikes have been removed and most of the delta is flooding at high tide, the river will likely find a new route to the Sound. It's very likely that the river will at some point change its course to deposit sediments into the areas that will be excavated for this new cable. That means that any environmental mitigation that is done could be wiped out by the forces of nature as soon as it's complete.

For example, if contractors are required to plant new beds of eelgrass underwater where they dug the trench for the cable, the river may swing around like a fire hose and literally dump tons of sediment on top of the new plants. I suggested that perhaps the environmental mitigation should instead be directed to the wetlands of the upper delta instead of underwater where the sediment would destroy any new grass anyway.

The good news is that everyone was pleased with the outcome of the meeting. **This was a great opportunity for the residents of Anderson Island and the Nisqually Tribe to work together** and I look forward to continuing to work with the group to get Anderson Island back on a stable source of electrical power.

Three weeks to go, and finally a budget

Today, the Senate majority rolled out their supplemental operating budget proposal, and to no one's surprise it included millions in new taxes and tax increases...\$950 million to be exact, in this biennium alone. That translates to \$2.1 billion in the 2011-13 biennium. Cuts in their budget amounted to about \$838 million, and the rest was made up with **nearly a billion dollars in one-time stimulus money and fund transfers from other state accounts.**



Those raided accounts include the state's new Rainy Day Fund as well as the model toxics account that was supposed to be dedicated to environmental clean-up. The budget proposal also replaces capital budget cash projects with bonds, transferring cash to the general fund, which is like making your mortgage payment with your credit card. **Once again, the majority party is "balancing" their budget with on one-time funds for ongoing spending rather than reforming government,** which only puts us in a worse position next biennium.

The status of my bills

SJR 8218 - Constitutional amendment restricting bail

Amends the state Constitution so that individuals who meet certain conditions are not bailable.

- ***PASSED THE SENATE 43-4 ON FEB. 11***

- *NOW AWAITING CONCURRENCE BY HOUSE AND SENATE LEGISLATORS*

SB 6316 - Coordination between local law enforcement and DOC

Requires notification of DOC when an inmate, housed in any city or county jail and under supervision by the department, escapes or is released, provides local law enforcement real-time access to the statewide corrections database, and allows local law enforcement to detain offenders in violation of their conditions of release with or without an arrest warrant having been issued.

- *PASSED THE SENATE 46-0 ON FEB. 11*
- *APPROVED BY HOUSE HUMAN SERVICES FEB. 22*

SB 6309 - Not guilty by reason of insanity inheritance

Prohibits a person found not guilty by reason of insanity in a murder case from benefiting by their action.

- *HEARD IN JUDICIARY JAN. 27*
- *APPROVED BY JUDICIARY FEB. 2*
- *PASSED THE SENATE 46-0 ON FEB. 16*
- *REFERRED TO HOUSE JUDICIARY FEB. 17*

SB 6308 - Computer access at SCC

Prohibits any person committed or detained at the SCC from accessing a personal computer unless the resident's treatment plan states that such access is necessary.

- *HEARD IN HUMAN SERVICES AND CORRECTIONS JAN. 28*
- *APPROVED BY HUMAN SERVICES AND CORRECTIONS FEB. 2*
- *PASSED THE SENATE 47-0 FEB. 16*
- *APPROVED BY HOUSE PUBLIC SAFETY ON FEB. 23*

In closing...

If you know someone in our district who might be interested in receiving these updates, please feel free to forward this e-mail to him or her. You can always find information online by visiting my website at www.SenateRepublicans.wa.gov/Carrell.



As always, if you'd like to contact me you can write, phone, e-mail, or stop by my Olympia office. I look forward to your comments and suggestions because they help me better represent you. My

office phone number is (360) 786-7654, and my home phone number is (253) 581-2859. Or you can write me at **102 Irv Newhouse Building, P.O. Box 40428, Olympia, WA 98504-0428.**

- Legislative E-mail address: carrell.mike@leg.wa.gov
- Home E-mail address: mcarrell@hotmail.com

Sincerely,

A handwritten signature in black ink that reads "Mike". The letters are cursive and slightly slanted to the right.

Mike Carrell

28th District State Senator